

## AMENDMENTS TO THE SPECIFICATION

On page 1, please <sup>add</sup> delete the following paragraph <sup>after the title</sup> at line 9 (as entered in applicants' Preliminary Amendment, dated 24 September 2003) and replace it as shown:

4p 6-17-10

### ~~PRIORITY DATA~~

~~This Application is a divisional of U.S. Patent Application No. 09/918,696, filed July 30, 2001, which claims priority from U.S. Provisional Application No. 60/222,887, filed August 3, 2000.~~

### CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a divisional of U.S. Patent Application Serial No. 09/918,696, filed July 30, 2001, now U.S. Patent No. 6,635,244, which claims the benefit of U.S. Provisional Application Serial No. 60/222,887, filed August 3, 2000, now expired.

**On page 4, after line 13, please insert the following paragraphs:**

Accordingly, in one aspect, the present invention relates to a recombinant adenovirus comprising a mutation in the E1B-55K gene that encodes a mutated E1B-55K protein comprising a single amino acid mutation, the mutation substantially reducing the ability of the E1B-55K mutated protein to bind to the tumor suppressor p53. Examples of such recombinant adenoviruses include Onyx 051 and Onyx 053. The recombinant adenoviruses of may further comprise the property of substantially retaining late functions of the virus.

In a second aspect, the present invention relates to an isolated adenoviral E1B-55K protein comprising a single amino acid mutation wherein the mutation is selected from the group consisting of amino acids at positions 240 or 260 of the protein.

In a third aspect, the present invention relates to an isolated polynucleotide wherein the polynucleotide comprises mutated adenoviral DNA that encodes a E1B-55K protein, the protein comprising a single amino acid mutation which mutation substantially reduces the capacity of the protein to bind to the tumor suppressor, p53. In one embodiment of the invention, the isolated polynucleotide is RNA.

In a fourth aspect, the present invention relates to a method of treating cancer in a patient in need of the treatment, comprising administering to the patient a dose of a